

MINUTES FROM THE HUNTSVILLE CITY COUNCIL MEETING HELD ON THE 20TH DAY OF OCTOBER, 2009, IN THE CITY HALL, LOCATED AT 1212 AVENUE M IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS AT 6:00PM.

The Council met in a regular session with the following:

COUNCILMEMBERS PRESENT: J. Turner, Charles Forbus, Melissa Mahaffey, Lanny Ray, Mac Woodward, Jack Wagamon, Tom Cole, Wayne Barrett and Dalene Zender

COUNCILMEMBERS ABSENT: none

OFFICERS PRESENT: Bill Baine, City Manager; Lee Woodward, City Secretary, Leonard Schneider, City Attorney

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REGULAR SESSION\* [6:00pm]

1. CALL TO ORDER

Mayor Turner called the meeting to order at 6:00 pm.

2. PLEDGE OF ALLEGIANCE

*U.S. Flag*

*Texas Flag: Honor the Texas Flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

3. INVOCATION

Councilmember Barrett led the invocation.

4. PRESENTATION

a. Proclamation 2010-10 Fire Prevention Month

5. PUBLIC COMMENTS

a. The Mayor announced that TxDOT is currently studying Highway 19 in our area, saying it was a very important thing for the community, and thanked the City Manager and the Councilmembers for their hard work on this.

b. Councilmember Ray wished a Happy Birthday to his son Zachary, who turned 11.

c. John Strickland congratulated the Council on the progress on Highway 19, and spoke about the parking and traffic issues on Avenue O.

6. CONSENT AGENDA

*(Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of Council.)*

a. Approve the minutes of the City Council workshop and meeting held on October 6, 2009. [Lee Woodward, City Secretary]

b. Approve bid for Trust Property Account #3324-044-0-01800, Lot 18, Block 44, Section 4 Elkins Lake for \$751.99. [Winston Duke, Finance Director]

c. Authorize City Manager to purchase new and unused carts for recycle pilot program and to purchase additional carts and parts for current automation program from Toter through the National Intergovernmental Purchasing Alliance. [Winston Duke, Finance Director]

d. Approve Ordinance 2010-4 amending Ordinance 2002-18 to permit Cemetery Advisory Board to select its own Chairman. [J. Turner, Mayor]

e. Approve Ordinance 2010-5, amending the budget for fiscal year 2008-09. [Winston Duke, Finance Director]

f. Authorize City Manager to enter into a contract with American Tire for selected tires and Southern Tire Mart for tires purchased on a discounted basis. [Winston Duke, Finance Director]

g. Authorize City Manager to enter into a contract as follows based on lowest price: 1. concrete (limestone, pea gravel and river rock): Texas Best Concrete 2. Stabilized flexible base: Pavers Supply delivered and

pick up. 3. Concrete washed sand: Texas Best Concrete 4. Flowable fill (delivery only) Service Ready Mix. [Winston Duke, Finance Director]

- h. **Authorize City Manager to enter into a contract as follows based on lowest price: 1. Chlorine and Sulfur Dioxide DXI 2. Liquid Ammonium Sulfate NAPCO Chemical.** [Winston Duke, Finance Director]

Councilmember Forbus made a motion to accept the consent agenda. The motion was seconded by Councilmember Zender.

Councilmember Woodward made a motion to include the words "and Vice-Chairman" into Ordinance 2010-4, and requested that item (d), be pulled from the Consent Agenda.

Councilmember Forbus asked for the street address of the lot in item (b), which was 1107 Tielway.

The consent agenda, without item (d), was unanimously approved.

Councilmember Woodward made a motion to approve Ordinance 2010-4 with the wording "and Vice-Chairman" inserted into the Ordinance, so the Cemetery Board could select both the Chair and the Vice-Chair. Councilmember Ray seconded the motion.

The Mayor confirmed that this change would make the Cemetery Board uniform with other Boards and Commissions.

The motion passed unanimously.

## 7. STATUTORY AGENDA

- a. **Discussion and possible action to adopt the revised Parks Master Plan.** [Matt Lumpkins, Director of Community Services]

Councilmember Cole made a motion to accept the Revised Parks Master Plan. Councilmember Woodward seconded the motion.

Councilmember Woodward thanked the Parks Department and the Parks Advisory Board for their work, and confirmed both that public hearings were held and that this updated plan would help in applying for grants.

Councilmember Mahaffey clarified how the prioritizing of the items was achieved, and received a description of the pool cover. Councilmember Mahaffey was also told by Joseph Wiggs, Parks Superintendent that members of the public had said they would like to see the HISD teams moved out of the park fields.

The motion was unanimously approved.

The Mayor took a moment to thank Walker County for their assistance in progress on the Highway 19 project.

- b. **Discussion and possible action on the first reading to approve entering into the pre-award contract with Klotz and Associates for the Drainage Study, Design, and Engineering for Town Creek to be activated upon award of the FEMA grant. Pre-award contract with Klotz and Associates is in the amount of \$787,000 over a two-year period, with a match of 25% by the City of Huntsville.** [Bill Baine, City Manager]

Councilmember Ray made a motion to enter into the pre-award contract contingent on the award of the grant from FEMA. Councilmember Forbus seconded the motion.

Councilmember Woodward confirmed with Dr. McKibben, Community Development Specialist, that Klotz & Associates would honor the amount of the pre-award contract until the City was notified about receipt of the FEMA grant.

Councilmember Ray reminded the Council that the project needed to be done, and that the City staff had worked hard to maintain the drainage in the meantime. He confirmed with Bill Baine, City Manager, that this was a first reading of the pre-award contract.

Councilmember Forbus related that the City Manager had suggested to TxDOT that the City would possibly like a condemned bridge in Grimes County for use in the potential Town Creek Park, and felt that the networking being accomplished was very beneficial. The City Manager said he could put the powerpoint presentation on the website.

Councilmember Woodward described the reticulation of water that had recently been improved through the Sam Houston Park, providing a similar improvement as the Town Creek Park, on a different scale. The Mayor stated

the town's existence was due to its creeks, and was an important feature for the community.

The City Manager congratulated Commissioner Gaines for stepping up to take a tour of the drainage system, and praised the County for their concern.

No action was taken on the item.

**c. Presentation on the sixth task force clean-up effort within the City, Mance Park Area. [Mike Roempke, Building Official]**

Mike Roempke, Building Official, presented a powerpoint presentation on the sixth task force clean-up effort since 2001, this one focused on the Mance Park Area.

**Task Force Cost Summary**

• Private Property Mowing	\$2,441.05
• Solid Waste Disposal Cost	\$2,299.65
• House Demolition	\$18,591.55
• Street Lights (new)	\$4,944.25
• Street Lights (upgrades)	\$13,359.83
• Street Signs	\$274.36
• Sidewalks/Retaining Walls	\$134,100.00
• <u>Water Maintenance</u>	<u>\$866.46</u>
• <b>Total Task Force Project</b>	<b>\$176,877.15</b>

The Mayor thanked Mr. Roempke for the success of the project and all the cooperative departments for the Task Force. These thoughts were echoed by Councilmember Mahaffey, and she was also extremely pleased with the investment of the citizens in these projects, noting financial savings for the City as well as increased participation and pride in the community.

Councilmember Wagamon commended Officer Joe Thornton for his community involvement and the excellent feedback received from citizens who have worked with Officer Thornton. Councilmember Wagamon also recognized the participation of Mr. and Mrs. Hawkins, Doris Merchant, Venetta Mills and Mrs. Milton, among other citizens who have been very involved, and thanked the City.

**d. Discussion and possible action to authorize the City Manager to enter into an interlocal agreement with Walker County for improvements to Ellisor and Parker Creek Roads. [Aron Kulhavy, City Planner]**

Councilmember Woodward made a motion to authorize the City Manager to enter into the agreement. Councilmember Forbus seconded the motion.

Councilmember Zender received clarification from Aron Kulhavy, City Planner, that the proposed area was all of Parker Creek Road, and Ellisor Road only from Highway 19 to Parker Creek Road.

Councilmember Ray received confirmation that the County had agreed to this, and Councilmember Zender was told that the County had come to the City to initiate the agreement. Councilmember Cole was told by the Mayor that it was the weight of the City vehicles using the road that the City recognized their responsibility in maintaining the road.

The motion passed unanimously.

**8. MAYOR/CITY COUNCIL AND CITY MANAGER REPORT**

**a. Presentation by Jimmy Wood of economic development report from Economic Development Council subcommittee. [Councilmember Wagamon]**

Jimmy Wood read a letter to the City concerning what his subcommittee viewed as roadblocks to economic development in Huntsville. He said his group was composed of Mr. Wood, Stephen Dawson, Judy Emmett, Steve Robinson and Rusty Davis.

Councilmember Wagamon asked Mr. Wood what specific changes were being requested, and what their feelings were on abatements and tax rebates. Mr. Wood said they felt everything was relative to the company being discussed, and that they would have to ask what is good for the company and what is good for Huntsville.

Mr. Wood reiterated that Huntsville needed to look to the future and focus on cooperation, a positive attitude and managed growth and equal application of the Development Code to all citizens.

Councilmember Wagamon mentioned that the Council did realize there was a need for improvements to the Development Code.

**b. City Manager's Report**

**1. Discuss updated grant worksheets.**

The City Manager briefly reviewed the received and potential grant awards. He also notified the public that a group of offenders from TDCJ would shortly be clearing vegetation from around sidewalks in the City, beginning in the neighborhood near City Hall. The City Manager also thanked TDCJ for the donation of this manpower.

**2. Discuss changes from Finance Committee Meeting that will be presented to Council at November 12, 2009 meeting.**

The City Manager mentioned there were changes discussed in the recent Finance Committee meeting that would be presented to the Council on November 12, 2009.

**3. Discuss memorandum of understanding between City of Huntsville, Walker County and the Boys & Girls Club for the City of Huntsville Community Shelter.**

The City Manager said he would be putting the item on the consent agenda for the November 12, 2009 Council meeting.

**4. Discuss No Parking signs being installed in medians on Bearkat Boulevard.**

The City Manager said the signs had been installed and that the parking situation had been improved.

**5. Discuss parking on Avenue O.**

The City Manager said they had received almost an equal amount of feedback for and against changing the parking allowances on Avenue O between 19<sup>th</sup> and 22<sup>nd</sup> streets, so no action would be requested at this time. He said the Police Chief would continue to review the situation but also that he realized it was a City street and citizens wanted to park in front of their homes.

Councilmember Cole asked for additional clarification of the parking issues on Avenue O, and Councilmember Mahaffey discussed the lack of visibility and danger to citizens walking or running on the street.

Councilmember Woodward said he would like them to keep the need for a stop sign at 21<sup>st</sup> street as a separate issue from the parking problems. Councilmember Wagamon asked if prohibiting parking for an area near the corner would solve the problem.

Allwin Barrow, Director of Public Safety, said that the increase in thru traffic and congestion has exacerbated the issues in the area.

Councilmember Barrett mentioned that he had noticed that cooperation between different entities within and without the City had touched basically every item on the agenda that evening. He said there seemed to be a growing awareness and willingness to participate, and that it was a good night for the City, something he hoped would continue.

**9. PUBLIC COMMENTS**

There were no additional public comments made.

**10. EXECUTIVE SESSION**

- a. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to hear termination appeal. [Robert Bocanegra, former City Employee, Public Utilities Department.]

The City Attorney asked if the Mayor and Council would like to receive legal advice prior to addressing the main topic of the Executive Session, and the Mayor said they would.

Councilmember Woodward mentioned that he and Councilmember Ray would hold an informational Town Hall on

Tuesday, October 27, 2009 at 6pm at the Walker Education Center on 19<sup>th</sup> Street. He said it would also be filmed and rebroadcast.

The Council adjourned into Executive Session at 7:28pm.

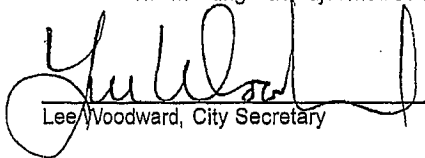
**11. RECONVENE**

Take action, if necessary, on the item 10a addressed during Executive Session.

The Council reconvened at 8:04pm and Mayor Turner stated the Council would take no further action.

**12. ADJOURNMENT [8:04 p.m.]**

The meeting was adjourned at 8:04 p.m.

  
Lee Woodward, City Secretary

**PRESENTED TO COUNCIL**

11/12/09 YLW